The claims remaining in the present application are Claims 1-28. Claims 1, 2, 11, 12, and 21 have been amended. No new matter has been added. The Examiner is thanked for performing a thorough search. The Examiner is thanked for allowing Claims 2 and 12 provided they are rewritten in independent form including all of the limitations of the base claim and any intervening claims.

CLAIM REJECTIONS
35 U.S.C. §102

Claims 1, 3-11 and 13-28

Claims 1, 3-11 and 13-28 are rejected under 35 U.S.C. §102(a) as being anticipated by U.S. Paten No. 5,761,505 by Golson et al. (referred to hereinafter as "Golson"). Applicants respectfully submit that embodiments of the present invention are neither taught nor suggested by Barenys.

Amended independent Claim 1 recites, "A method of managing modification of configuration states of a plurality of resources of multiple types in a dynamic data center, said method comprising:

creating a modification policy for said resources;

obtaining a new modification for [[a]] configuration states of resources of a particular type; and

automatically performing said new modification to said configuration states of said resources of said particular type based on said modification policy by utilizing a resource pool without degrading a level of service provided by said resources of said particular type by performing said modification on an available resource before performing said modification on a first resource that said available resource will replace, wherein said resource pool includes a plurality of available resources of multiple types."

Golson fails to teach or suggest, "automatically performing said new modification to said configuration states of said resources of said particular type based on said modification policy by utilizing a resource pool without degrading a level of service provided by said resources of said particular type by performing said modification on an available resource before performing said modification on a first resource that said available resource will replace, wherein said resource pool includes a plurality of available resources of multiple types." (emphasis added) as recited by Claim 1.

Golson teaches a system and method for automatically and reliably managing global resources in a computer network. For example, at Col. 2 lines 1-9, Golson states,

> When a computer system is turned off, or deactivated, during the time when a new resource, such as a printer, nonvolatile disk storage system, etc., is changed in the network, the deactivate computer system does not execute the configuration task corresponding with the resource change and will not know the correct new configuration of resources on the network when it is eventually activated, until it is ultimately manually programmed.
> Thus, a heretofore unaddressed need exists in the industry for a system and method for automatically and reliably managing global resources of a network and for configuring computer systems of a network relative to global resources.

Among other things, Golson uses a reconciliatory 36 for "automatically and reliably managing global resources." For example at Col. 9 lines 41-49, Golson states,

> When any such nonresponsive computer system 14 becomes responsive, i.e., is activated or desires to become part of the network domain, the reconciliatory 36 (FIG. 2) associated with the nonresponsive computer system 14 (now responsive) consults the global resource data base 48 (FIG. 5) of the global memory 22 associated with the server computer system 14a to accommodate any unperformed configuration tasks that were directed to the respective computer system 14.

However, no where does Golson teach or suggest "performing said modification on an available resource before performing said modification on a first resource that said available resource will replace," as recited by Claim 1.

Further Golson does not teach or suggest "automatically performing said new modification to said configuration states of said resources of said particular type based on said modification policy," as recited by Claim 1. The Office Action asserts that Golson teaches a "modification policy" at Col. 7 lines 5-14 and at Col. 6 lines 8-9. However, Golson states at Col. 6 lines 8-9, "policy, or a resource object 37 applying to all resources of this type (e.g., the default printer);" and state at Col. 7 lines 5-14,

> In general, the task manager 34 forward commands to the other computer systems 14 of the network system 11 to perform the configuration task on the computer systems 14a-14c of the network domain. The architecture and modules of the task manager 34 will be described in detail hereafter relative to FIG. 6.
> After the task manager has concluded its operation on the particular configuration task, control of the computer system 14 is passed back to the

SAM 18, which presents the results of the configuration task, via perhaps the output device 44 (e.g.., a display; see FIG. 2), to the user.

Referring to Col. 6 lines 8-9, note that Golson's policy pertains to how a resource is used rather pertaining to modifications. Further note that Col. 7 lines 5-14 make no mention of Golson's policy. Therefore, although Golson teaches "a policy" Golson does not teach a "modification policy" that "automatically performing said new modification to said configuration state of said resources..." is based on.

Therefore Golson does not teach or suggest "automatically performing said new modification to said configuration states of said resources of said particular type based on said modification policy by utilizing a resource pool without degrading a level of service provided by said resources of said particular type by performing said modification on an available resource before performing said modification on a first resource that said available resource will replace, wherein said resource pool includes a plurality of available resources of multiple types." (emphasis added) as recited by Claim 1. Amended independent Claims 11 and 21 should be patentable for similar reasons that Claim 1 should be patentable.

Claims 3-10 depend from Claim 1, Claims 13-20 depend from Claim 11, and Claims 22-28 depend from Claim 21 and include all of the limitations of the respective independent Claims 1, 11, and 21. Further, the dependent Claims include additional limitations which further make them patentable. Therefore the dependent Claims should be patent for at least the reasons that the independent Claims 1, 11, and 21 are patentable.

CONCLUSION

In light of the above listed amendments and remarks, reconsideration of the rejected claims is requested. Based on the arguments and amendments presented above, it is respectfully submitted that Claims 1-28 overcome the rejections of record. For reasons discussed herein, Applicant respectfully requests that Claims 1-28 be considered be the Examiner. Therefore, allowance of Claims 1-28 is respectfully solicited.

Should the Examiner have a question regarding the instant amendment and response, the Applicant invites the Examiner to contact the Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

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Dated: __5/24__, 2006

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